

SUPREME COURT OF CALIFORNIA

**NOTICE OF
FORTHCOMING FILING**

The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site (www.courtinfo.ca.gov) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

PEOPLE v. CAVITT & WILLIAMS

S105058 (San Mateo County Superior Court No. SC38915)
Argued in San Francisco 5-04-04

This case presents the following issues: (1) Is an accomplice liable for first degree murder under the felony-murder rule whenever a killing is committed while the accomplice and the actual killer are jointly engaged in a felony implicating the felony-murder rule? (2) Does the principle terminating liability under the felony-murder rule when the perpetrators of the underlying felony have attained a place of temporary safety apply where only some perpetrators have reached such a place and the killing is thereafter committed by a perpetrator who has not reached a place of temporary safety? (3) Did the trial court prejudicially err in precluding defendants from presenting evidence establishing that a cohort harbored independent animus for purposes of first degree felony murder?

Opinion(s) in the above case(s) will be filed on:

Monday , June 21, 2004 at 10:00 a.m.
